

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Response Under 37 CFR 1.116 - Expedited Procedure  
Customer Number: 41552  
George, Frank R., et al. : Confirmation Number: 7037  
Application No.: 10/759,526 : Group Art Unit: 1633  
Filed: January 16, 2004 : Examiner: EPPS-SMITH, Janet L.  
For: ELECTROMAGNETIC ACTIVATION OF GENE EXPRESSION AND CELL GROWTH

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being electronically-transmitted to the United States Patent and Trademark Office on November 3, 2009.

/Carrie Hines/

Carrie Hines

Dear Sir:

Transmitted herewith is a Response to the final Office Action dated May 4, 2009, in the above-identified application.

Applicant is entitled to small entity status under 37 CFR 1.27  
Petition for Three-Month Extension of Time  
Notice of Appeal

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEES
Total Claims	32	62	0	\$26.00 =	\$0.00
Independent Claims	9	16	0	\$110.00 =	\$0.00
		Multiple dependent claims newly presented			\$0.00
		Fee for extension of time			\$555.00
		Fee for notice of appeal			\$270.00
		Total of Above Calculations			\$825.00

Please charge my Deposit Account No. 502624 in the amount of \$825.00.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

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**Date: November 3, 2009**

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